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May 11, 2015

By ECF

Hon. Katherine B. Forrest
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Peterson et al. v. Islamic Republic of Iran et al.*, No. 10 Civ. 4518 (KBF)

Dear Judge Forrest:

This firm represents Defendant Bank Markazi, the Central Bank of Iran (“Bank Markazi or the “Bank”) in the above captioned action. I write pursuant to the Court’s May 7, 2015 Order (Dkt. # 589) directing that “[n]ot later than May 13, 2015, the parties shall inform the Court of any outstanding issues that need to be resolved before this action is terminated.”

Bank Markazi respectfully submits that there are pending proceedings before the United States Supreme Court that must be resolved before this action may be terminated. On December 29, 2014, Bank Markazi filed a petition for certiorari (the “Petition for Certiorari” or the “Petition”) with the United States Supreme Court seeking review of the Second Circuit’s July 9, 2014 affirmance of this Court’s July 9, 2013 partial final judgment awarding turnover of (at that time) nearly \$1.9 billion in assets first restrained in 2008 and subsequently blocked in 2012 to the Plaintiffs in this case. Previously, the Second Circuit by Order dated October 29, 2014 (Second Circuit Case No. 13-2952, Dkt. # 313) had granted Bank Markazi’s motion for a stay of the mandate.

The present status of Bank Markazi’s Petition for Certiorari is that following initial briefing on the Petition, the Supreme Court by Order dated April 6, 2015 invited the Solicitor General “to file a brief in this case expressing the views of the United States.”¹ The timing of the Solicitor General’s brief is currently unknown.

Accordingly, this action cannot be terminated unless and until the Supreme Court (following the filing of the Solicitor General’s brief) either denies Bank Markazi’s Petition for Certiorari or, if the Supreme Court grants the Petition, the Supreme Court affirms the Second Circuit’s July 2014 affirmance of this Court’s July 2013 partial final judgment. Further, and

¹ See United States Supreme Court docket for Case No. 14-770, *available at* <http://www.supremecourt.gov/search.aspx?filename=/docketfiles/14-770.htm>.

Hon. Katherine B. Forrest
May 11, 2015 – Page 2

relatedly, this Court will not reacquire jurisdiction over this action until the mandate has issued from the Second Circuit.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "A. Frischknecht", with a stylized flourish at the end.

Andreas A. Frischknecht

CHAFFETZ LINDSEY LLP
Counsel for Defendant Bank Markazi

Cc: all counsel of record (by ECF)